

## **Remarks**

### **Introduction**

Applicant acknowledges with appreciation that claims 3, 4, 7, and 9 would be allowable if rewritten in independent form.

Upon entry of the foregoing amendment, claims 1-11 are pending in the application. Claims 1 and 5 have been amended. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

Entry of this Amendment After Final is proper under 37 C.F.R. §1.116 because the claim amendments: (a) place this application in condition for allowance (for the reasons discussed herein), (b) do not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution as indicated in the Final Office Action), (c) present the rejected claims in better form for consideration on appeal (should an appeal be necessary), and (d) are necessary and were not earlier presented because they are made in response to arguments raised in the Final Office Action.

Accordingly, for at least the reasons discussed above, entry of this Amendment is respectfully requested.

### **Rejection under 35 USC § 102**

Claims 1-11 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,177,730 to Utsugi. Applicant respectfully requests reconsideration and withdrawal of this rejection for at least the following reasons.

#### **Independent Claim 1**

The Office Action dated January 22, 2009 states that FIGS. 7 and 9(a)-9(c) of Utsugi disclose all the limitations as recited in independent claim 1. See page 2, item 3 of the Office Action dated January 22, 2009. More specifically, the Office Action dated January 22, 2009 relies on Utsugi's worm wheel 79 which transfers a rotational force to a small pulley 76 and a large pulley 77 in order to move a first link member 66 which allows an open/close body 5 to open and close. See column 8, lines 3-34 of Utsugi. However, for at least the following reasons, Applicant asserts that Utsugi does not teach or disclose the limitations of independent claim 1 as presently recited.

In other words, the Examiner's rejection is improper because a prima facie case of unpatentability has not been established.

Independent claim 1 has been amended as shown above, and Utsugi fails to disclose or suggest, among other things, "an inclining unit to transfer a rotational force to the AV front panel to incline the AV front panel such that a top portion of the AV front panel inclines toward the inclining unit," as presently recited in independent claim 1.

Referring to FIGS. 7 and 9(a)-9(c) of Utsugi, as relied upon by the Office Action dated January 22, 2009, it is clear that Utsugi is limited to the open/close body 5 which inclines in a direction such that a top portion thereof moves away from (i.e., not in a direction towards) the first link member 66. Also, referring to column 8, lines 25-30 of Utsugi, "the first link member 66 cannot move forward because of the urging force of [the] coil springs 84 and because of the locking of [the] engagement/stopper link member 72 to [the] engagement/stopper pin 73b" (emphasis added). See FIGS. 9(a)-9(c) of Utsugi. In other words, column 8 and FIGS. 7 and 9(a)-9(c) of Utsugi clearly show that Utsugi is not capable of moving in the manner recited in independent claim 1, because the combination of the coil springs 84, the link member 72 and the engagement/stopper pin 73b forces the top portion of the open/close body 5 to incline away from the first link member 66. Therefore, in view of the above, Utsugi does not disclose or suggest, among other things, "an inclining unit to transfer a rotational force to the AV front panel to incline the AV front panel such that a top portion of the AV front panel inclines toward the inclining unit," as presently recited in claim 1.

Accordingly, since Utsugi does not teach or disclose all of the elements set forth in independent claim 1, a prima facie case of unpatentability has not been established, and withdrawal of this rejection and allowance of this claim are respectfully solicited.

#### **Independent Claim 5**

Similarly as above regarding independent claim 1, the Office Action dated January 22, 2009 states that FIGS. 7 and 9(a)-9(c) of Utsugi disclose all the limitations as recited in independent claim 5. See page 3, item 3 of the Office Action dated January 22, 2009. Again the Office Action dated January 22, 2009 relies on Utsugi's worm wheel 79 which transfers a rotational force to a small pulley 76 and a large pulley 77 in order to move a first link member 66 which allows an open/close body 5 to open and close. See column 8, lines 3-34 of Utsugi. However, for at least the following reasons, Applicant asserts that Utsugi does not teach or disclose the limitations of independent claim 5 as presently recited. In other words, the Examiner's rejection is improper

because a prima facie case of unpatentability has not been established.

Independent claim 5 has been amended as shown above, and Utsugi fails to disclose or suggest, among other things, “a converting unit to control an angle of inclination of the AV front panel, such that a top portion of the AV front panel inclines toward the inclining unit,” as presently recited in independent claim 5.

Referring again to FIGS. 7 and 9(a)-9(c) of Utsugi, as relied upon by the Office Action dated January 22, 2009, it is clear that Utsugi is limited to the open/close body 5 which inclines in a direction such that a top portion thereof moves away from (i.e., not in a direction towards) the first link member 66. Also as stated above regarding independent claim 1, column 8 and FIGS. 7 and 9(a)-9(c) of Utsugi clearly show that Utsugi is not capable of moving in the manner recited in independent claim 1, because the combination of the coil springs 84, the link member 72 and the engagement/stopper pin 73b forces the top portion of the open/close body 5 to incline away from the first link member 66. Therefore, in view of the above, Utsugi does not disclose or suggest, among other things, “a converting unit to control an angle of inclination of the AV front panel, such that a top portion of the AV front panel inclines toward the inclining unit,” as presently recited in claim 5.

Accordingly, since Utsugi does not teach or disclose all of the elements set forth in independent claim 5, a prima facie case of unpatentability has not been established, and withdrawal of this rejection and allowance of this claim are respectfully solicited.

#### **Dependent Claims 2-4 and 6-11**

With respect to claims 2-4 and 6-11, it is respectfully submitted that for at least the reason that claims 2-4 and 6-11 depend from independent claims 1 and 5, respectively, which are patentably distinguishable from Utsugi for at least the reasons provided above, and therefore contain each of the features as recited in independent claims 1 and 5, dependent claims 2-4 and 6-11 are also patentably distinguishable from Utsugi, and withdrawal of this rejection and allowance of these claims are respectfully solicited.

#### **Conclusion**

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this

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application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

Respectfully submitted,

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